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VIA CM/ECF

August 13, 2019

The Honorable Paul W. Grimm
United States District Court
For the District of Maryland
6500 Cherrywood Lane, Suite 465A
Greenbelt, MD 20770

Re: *American Academy of Pediatrics v. FDA*, No. 18-cv-00883-PWG

Dear Judge Grimm:

On behalf of proposed intervenor trade associations, this letter seeks leave to file an unopposed motion to extend the deadlines set by this Court in its August 12, 2019 Paperless Order (Dkt. #131). That Order addresses the trade associations' motion to intervene for purposes of appeal and a motion to stay pending appeal. The current due dates are as follows: (i) August 16 – motion to stay; (ii) August 19 – responses to the motion to intervene; (iii) August 23 – responses to the motion to stay; (iv) August 26 – reply for the motion to intervene; and (v) August 27 – reply for the motion to stay.

Counsel for the trade associations has several conflicts, including the following: (i) on personal travel August 16-24; (ii) traveling for and attending oral argument in the S.D. Ohio on August 26-27; and (iii) filing a Ninth Circuit brief on September 4. Lead counsel for the FDA has also informed us that the government consents in part because he will be on personal travel August 16-September 3. Plaintiffs have confirmed that they do not oppose the motion.

Counsel for all parties and the trade associations have conferred and agreed to the following proposed schedule: (i) September 9 – motion to stay; (ii) September 12 – responses to the motion to intervene; (iii) September 18 – responses to the motion to stay; (iv) September 19 – reply for the motion to intervene; and (v) September 23 – reply for the motion to stay. A proposed order is attached.

We greatly appreciate the Court's attention to this matter.

KELLER AND HECKMAN LLP

The Honorable Paul W. Grimm

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Sincerely,

A handwritten signature in black ink, appearing to read "Eric P. Gotting", with a long horizontal flourish extending to the right.

Eric P. Gotting

Bar ID #20278